

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BEN WALKER,

Plaintiff,

v.

COURT OF COMMON PLEAS OF  
MONROE COUNTY, *et al.*,

Defendants.

CIVIL ACTION NO. 3:12-CV-2206

(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

**ORDER**

**NOW** this 29<sup>th</sup> day of May, 2013, after consideration of Magistrate Judge Martin C. Carlson's Report and Recommendation (Doc. 28) and Plaintiff Ben Walker's objections (Doc. 31), **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 28) is **ADOPTED**.
- (2) Plaintiff's Motion for Default Judgment (Doc. 12) is **DENIED**.
- (3) The County Defendants' Motion to Strike Plaintiff's Motion for Default Judgment (Doc. 15) is **DISMISSED AS MOOT**.
- (4) The Judicial Defendants' Motion to Dismiss (Doc. 17) is **GRANTED**.
- (5) The County Defendants' Motion to Dismiss (Doc. 20) is **GRANTED**.
- (6) The Judicial Defendants' Motion for Enlargement of Time (Doc. 14) is **DISMISSED AS MOOT**.
- (7) Plaintiff's Complaint (Doc. 1) is **DISMISSED WITHOUT PREJUDICE**. Plaintiff has twenty-one (21) days from the date of entry of this Order to file a single comprehensive amended complaint consistent with the Court's Memorandum. If he fails to do so, the action will be dismissed with prejudice and the case will be closed.
- (8) The matter is **RECOMMENDED** to the Magistrate Judge.

/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge